

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WILLIAM BOYD, :
: Plaintiff, :
: :
v. : C.A. No. 07-379-JJF
: :
UNITED STATES GOLF ASSOCIATION, a :
Delaware corporation, :
: :
: Defendant. :
: :
: :
: :

**DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT
FOR FAILURE TO STATE A CLAIM**

Defendant United States Golf Association (the "USGA") hereby moves, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss plaintiff William Boyd's complaint for failure to state a claim upon which relief may be granted.

The Court is respectfully referred to the accompanying brief for the reasons advanced in support of this motion.

BOUCHARD MARGULES & FRIEDLANDER, P.A.

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DATED: October 29, 2007

CERTIFICATE OF SERVICE

I, Dominick T. Gattuso, hereby certify that on October 29, 2007, I caused to be electronically filed a true and correct copy of **Defendant's Motion to Dismiss for Failure to State a Claim** with the Clerk of Court by CM/ECF.

I further certify that I served a true and correct copy of the foregoing document on the plaintiff William Boyd in the manner indicated below:

By Priority Mail

William Boyd
602 Tamara Circle
Newark, DE 19711

/s/ Dominick T. Gattuso
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